

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Sep 02, 2021**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: John Vigil

Case Number: 0980 2:07CR00086-LRS-1

Address of Offender:

Spokane, Washington 99208

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: April 8, 2008

Original Offense: Armed Bank Robbery, 18 U.S.C. §§ 2113(a) and (d) and 2  
Attempted Witness Tampering, 18 U.S.C. § 1512(b)(1), (2)(a)Original Sentence: Prison - 132 Months Type of Supervision: Supervised Release  
TSR - 60 MonthsRevocation Sentence: Prison - 2 Months  
(May 15, 2019) TSR - 58 Months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: July 5, 2019

Defense Attorney: Lorinda Meier Youngcourt Date Supervision Expires: May 4, 2024

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 04/06/2021, and 06/15/2021.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<p><b><u>Special Condition #8:</u></b> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><b><u>Supporting Evidence:</u></b> Mr. John Vigil is alleged to have violated special condition number 8, by ingesting marijuana as previously occurring on or about August 27, 2021, based on urinalysis testing and the client's admission of such use.</p> <p>On July 5, 2019, Mr. John Vigil signed his conditions relative to case number 2:07CR00086-LRS-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Vigil was made aware that he was required to refrain from any use of a controlled substance and was required to submit to urinalysis testing as directed by the undersigned officer.</p>

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Specifically, on August 27, 2021, Mr. Vigil reported to the U.S. Probation Office in Spokane to submit to urinalysis testing as previously directed. Mr. Vigil subsequently provided a urinalysis sample for testing, which reflected as being presumptive positive for marijuana. Upon questioning, Mr. Vigil admitted to ingesting the substance as previously occurring on or about August 25, 2021, and subsequently signed a drug use admission form serving to document his use of the substance as described.

On August 30, 2021, the undersigned officer contacted Mr. Vigil telephonically, at which time he described having ingested a marijuana infused oil through a "vape pen" on or about August 25, 2021, after experiencing muscle pain and soreness due to the long hours and physical demand required by his current job. Mr. Vigil indicated that he did not receive a "high" from the substance, but rather just used the substance for its pain relief properties.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 2, 2021

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

September 2, 2021

Date